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 SPECIAL PROGRAMS OFFICE
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 DECISION GRANTING
 PETITION

 JOE ZHENG
 PHONE.COM, INC
 800 CHESAPEAKE DRIVE
 REDWOOD CITY, CA 94063

Correct → In re Application of
 Peter F. King, et al
 Application No. 09/533,556
 Filed: February 24, 1999
 For: PROVIDING A DIRECTORY OF
 FREQUENTLY USED HYPERLINKS ON A
 REMOTE SERVER

11/21/99 ?
 This is a decision on the petition filed September 27, 1999, requesting that the Continued Prosecution Application request under 37 CFR 1.53(d), filed February 24, 1999, be treated as an application filed under 37 CFR 1.53(b) and be accorded a filing date of February 24, 1999.

A review of the file of prior application no. 08/996,379 reveals that a request for a continued prosecution application (CPA) under 37 CFR § 1.53(d) based on prior application no. 08/996,379, was filed in the above-identified patent application on February 24, 1999. However, the issue fee was paid in the prior application on January 14, 1999. A CPA must be filed before payment of the issue fee in the prior application. See 37 CFR 1.53(d) (1) (ii) (A). Since the issue fee was paid in the prior application before the CPA request was filed and the prior application has now issued as a patent, the CPA request cannot be processed as a proper CPA. *OK*

Wrong → In view of the petition and improper CPA request, the CPA request and other papers filed on February 24, 1999, have been removed from the file of application No. 08/996,379 and have been assigned application No. 09/553,556 for identification purposes. All further correspondence concerning the application deposited on February 24, 1999, should be directed to application No. 09/553,556, not application No. 08/996,379.

The present petition requests that the CPA request be treated as an application under 37 CFR 1.53(b). It is noted that the CPA request was filed with, *inter alia*, a copy of the parent application including specification, claims, Abstract, and drawings; a copy of the declaration and previous assignments; and Preliminary Amendment.

The petition is **granted**.

Correct → After mailing of this decision, PTO records will be corrected to show that the basic filing fee and all associated multiple dependent and excess claim fees paid on February 24, 1999, were paid in application No. 09/533,556 and not in application No. 08/996,379. The petition fee of \$130.00 will be charged to the practitioner's deposit account as authorized.

The above-identified application will then be forwarded to the Office of Initial Patent Examination Division for further processing as a continuation application of prior application no. 08/996,379 filed under 37 CFR 1.53(b) with a filing date of February 24, 1999, using the specification, drawings, and declaration filed February 24, 1999.

Telephone inquiries specific to this matter should be directed to Petitions Attorney, Jennifer M. Hayes, at (703) 306-5608, or if unavailable, to the undersigned at (703) 305-9285.

 Eugenia A. Jones
 Legal Advisor
 Office of Patent Legal Administration
 Office of the Deputy Commissioner
 for Patent Examination Policy

JMH

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STATUS DB-LA

GLAVELY, SOKOLOFF, TAYLOR & ZAFMAN
LOS ANGELES

Serial/Patent No.: 09/533,556 Filing/Issue Date: February 24, 1999
Client: Operwave Systems Inc.
Title: Providing a Directory of Frequently Used Hyperlinks on a Remote Server

BSIZ File No.: 3399P087C Any/Secy Initials: JMB/iaa
Date Mailed: 2-12-02 Docket Due Date: ***

The following has been received in the U.S. Patent & Trademark Office on the date stamped hereon:

- | | | |
|---|--|--|
| <input type="checkbox"/> Amendment/Response (____ pgs.) | <input type="checkbox"/> Express Mail No.: _____ | <input type="checkbox"/> Check No. _____ |
| <input type="checkbox"/> Appeal Brief (____ pgs.) (in triplicate) | <input type="checkbox"/> _____ Month(s) Extension of Time | <input type="checkbox"/> Amt: _____ |
| <input type="checkbox"/> Application - Utility (____ pgs., with cover and abstract) | <input type="checkbox"/> Information/Claim Statement & P/O 449 (____ pgs.) | <input type="checkbox"/> Check No. _____ |
| <input type="checkbox"/> Application - Rule 1.53(b) Continuation (____ pgs.) | <input type="checkbox"/> Issue Fee Transmittal | <input type="checkbox"/> Amt: _____ |
| <input type="checkbox"/> Application - Rule 1.53(b) Divisional (____ pgs.) | <input type="checkbox"/> Notice of Appeal | |
| <input type="checkbox"/> Application - Rule 1.53(b) CIP (____ pgs.) | <input type="checkbox"/> Petition for Extension of Time | |
| <input type="checkbox"/> Application - Rule 1.53(d) CPA Transmittal (____ pgs.) | <input type="checkbox"/> Petition for _____ | |
| <input type="checkbox"/> Application - Design (____ pgs.) | <input checked="" type="checkbox"/> Postcard | |
| <input type="checkbox"/> Application - PCT (____ pgs.) | <input type="checkbox"/> Power of Attorney (____ pgs.) | |
| <input type="checkbox"/> Application - Provisional (____ pgs.) | <input type="checkbox"/> Preliminary Amendment (____ pgs.) | |
| <input type="checkbox"/> Assignment and Cover Sheet | <input type="checkbox"/> Reply Brief (____ pgs.) | |
| <input type="checkbox"/> Certificate of Mailing | <input type="checkbox"/> Response to Notice of Missing Parts | |
| <input type="checkbox"/> Declaration & POA (____ pgs.) | <input type="checkbox"/> Small Entity Declaration for Indep. Inventor/Small Business | |
| <input type="checkbox"/> Fee Schedule & Copy of Inventor's Signature (____ pgs.) | <input type="checkbox"/> Transmittal Letter, in duplicate | |
| <input type="checkbox"/> Drawings: _____ # of sheets includes _____ figures | <input type="checkbox"/> Fee Transmittal, in duplicate | |



☒ Other: Power of Attorney by Assignee and Revocation of Previous Powers (2 pgs.)

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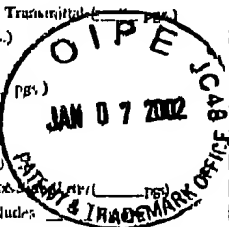
JAN 15 2002

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN
LOS ANGELES

Serial/Patent No.: 09/533,556 Filing/Issue Date: February 24, 199
 Client: Openwave Systems Inc
 Title: Providing a Directory of Frequently Used Hyperlinks on a Remote Server
 BSIZ File No.: 3399P087C Atty/Secy Initials: JMB/jaa
 Date Mailed: 12-10-01 Docket Due Date: ***

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| <input type="checkbox"/> Appeal Brief (____ pgs.) (in triplicate) | <input type="checkbox"/> _____ Month(s) Extension of Time | Amt: _____ |
| <input type="checkbox"/> Application - Utility (____ pgs., with cover and abstract) | <input type="checkbox"/> Information Disclosure Statement & PTO 440 (____ pgs.) | <input type="checkbox"/> Check No.: |
| <input type="checkbox"/> Application - Rule 1.53(b) Continuation (____ pgs.) | <input type="checkbox"/> Issue Fee Transmittal | Amt: _____ |
| <input type="checkbox"/> Application - Rule 1.53(b) Divisional (____ pgs.) | <input type="checkbox"/> Notice of Appeal | |
| <input type="checkbox"/> Application - Rule 1.53(b) CIP (____ pgs.) | <input type="checkbox"/> Petition for Extension of Time | |
| <input type="checkbox"/> Application - Rule 1.53(d) CPA Transmittal (____ pgs.) | <input type="checkbox"/> Petition for _____ | |
| <input type="checkbox"/> Application - Design (____ pgs.) | <input checked="" type="checkbox"/> Postcard | |
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| <input checked="" type="checkbox"/> Certificate of Mailing | <input type="checkbox"/> Response to Notice of Missing Parts | |
| <input type="checkbox"/> Declaration & POA (____ pgs.) | <input type="checkbox"/> Small Entity Declaration for Indep. Inventor/Small Business | |
| <input type="checkbox"/> Inclusion Docs & Cts & Copyrights (____ pgs.) | <input type="checkbox"/> Transmittal Letter, in duplicate | |
| <input type="checkbox"/> Drawings: _____ # of sheets included | <input type="checkbox"/> Fee Transmittal, in duplicate | |



☒ Other: Request for Filing Receipt (2 pgs.), copy of Decision Granting Petition, Change of Correspondence Address, Request for Change of Attorney Docket Number (2 pgs.)

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JAN 16 2002
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